

EXHIBIT A



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E-MARKETING • FULFILLMENT SERVICES • DIRECT MAIL • INHOUSE LETTERS
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SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR BENTON AND FRANKLIN COUNTIES

James S. Gordon, Jr.

Plaintiff(s)

Case No. 03-2-02677-5

E. KAY STAPLES
BENTON COUNTY CLERK

DEC 26 2003

FILED

V.

Commonwealth Marketing Group

CONFIRMATION OF SERVICE

Defendant(s)

Check one of the following:

☒ All the named defendants or respondents have been served or have waived service.

☐ One or more named defendants or respondents have not yet been served,; and

The following defendants or respondents have been served or have waived service:

The following defendants or respondents have not yet been served:

Reasons why service has not been obtained:

How service will be obtained:

Date by which service is expected to be obtained:

No other named defendants or respondents remain to be served.

12/26/03

Date

Jim Gordon

Plaintiff

DEC 15 2003

FILED

CASE TYPE 2

Benton

COUNTY SUPERIOR COURT

CASE INFORMATION COVER SHEET

Case Number 03-2-02677-5 Case Title J. Gordon v. Community MktgAttorney Name Pro Se Bar Membership Number _____

Please check one category that best describes this case for indexing purposes. Accurate case indexing not only saves time in docketing new cases, but helps in forecasting needed judicial resources. Cause of action definitions are listed on the back of this form. Thank you for your cooperation.

APPEAL/REVIEW

- ___ Administrative Law Review (ALR 2)
 ___ Appeal of a Department of Licensing Revocation (DOL 2)
 ___ Civil, Non-Traffic (LCA 2)
 ___ Civil, Traffic (LCI 2)

CONTRACT/COMMERCIAL

- ___ Breach of Contract (COM 2)
 ___ Commercial Contract (COM 2)
 ___ Commercial Non-Contract (COL 2)
 ___ Third Party Collection (COL 2)

MERETRICIOUS RELATIONSHIP

- ___ Meretricious Relationship (MER 2)

DOMESTIC VIOLENCE/ANTIHARASSMENT

- ☒ Civil Harassment (HAR 2)
 ___ Domestic Violence (DVP 2)
 ___ Foreign Protection Order (FPO 2)
 ___ Vulnerable Adult Protection (VAP 2)

JUDGMENT

- ___ Abstract Only (ABJ 2)
 ___ Foreign Judgment (FJU 2)
 ___ Judgment, Another County (ABJ 2)
 ___ Judgment, Another State (FJU 2)
 ___ Tax Warrant (TAX 2)
 ___ Transcript of Judgment (TRJ 2)

OTHER COMPLAINT/PETITION

- ___ Action to Compel/Confirm Private Binding Arbitration (MSC 2)
 ___ Change of Name (CHN 2)
 ___ Deposit of Surplus Funds (MSC 2)
 ___ Emancipation of Minor (EOM 2)
 ___ Injunction (INJ 2)
 ___ Interpleader (MSC 2)
☒ Malicious Harassment (MHA 2)

- ___ Minor Settlement (No guardianship) (MST 2)
 ___ Petition for Civil Commitment (Sexual Predator)(PCC 2)
 ___ Seizure of Property from Commission of Crime (SPC 2)
 ___ Seizure of Property Resulting from a Crime (SPR 2)
 ___ Subpoenas (MSC 2)

PROPERTY RIGHTS

- ___ Condemnation (CON 2)
 ___ Foreclosure (FOR 2)
 ___ Land Use Petition (LUP 2)
 ___ Property Fairness (PFA 2)
 ___ Quiet Title (QTI 2)
 ___ Unlawful Detainer (UND 2)

TORT, MEDICAL MALPRACTICE

- ___ Hospital (MED 2)
 ___ Medical Doctor (MED 2)
 ___ Other Health Care Professional (MED 2)

TORT, MOTOR VEHICLE

- ___ Death (TMV 2)
 ___ Non-Death Injuries (TMV 2)
 ___ Property Damage Only (TMV 2)

TORT, NON-MOTOR VEHICLE

- ___ Asbestos (PIN 2)
 ___ Other Malpractice (MAL 2)
 ___ Personal Injury (PIN 2)
 ___ Products Liability (TTO 2)
 ___ Property Damage (PRP 2)
 ___ Wrongful Death (WDE 2)

WRIT

- ___ Habeas Corpus (WHC 2)
 ___ Mandamus (WRM 2)
 ___ Restitution (WRR 2)
 ___ Review (WRV 2)

IF YOU CANNOT DETERMINE THE APPROPRIATE CATEGORY, PLEASE DESCRIBE THE CAUSE OF ACTION BELOW

- Complete items 1, 2, and 3. If you complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Commonwealth Mtg. Group
1 Millennium Pl.
Uniontown, PA 15401

Signature

X *Christa Calgani*

☐ Agent☐ Addressee

B. Received by (Printed Name)

Christa Calgani

C. Date of Delivery

*12/22/03*D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

7003 0500 0000 6080

(Transfer from serv)

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

E. KAY STARLES
BENTON COUNTY CLERK

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SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR BENTON AND FRANKLIN COUNTIES

James L. Gordon, Jr.

Plaintiff(s)

Case No.

03-2-02677-5

Commonwealth Marketing Group, Inc.

Defendant(s)

CIVIL CASE SCHEDULE ORDER
(ORSCS)

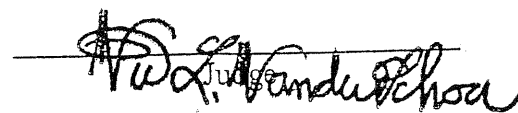
I. SCHEDULE

(Cases filed the week of 12/15/03)

	DUE DATE
1. Confirmation of Service	01/19/04
2. Confirmation / Waiver of Status Conference	03/15/04
3. Last Date for Filing: Motions to Change Trial Date; Jury Demand	04/19/04
4. Status Conference (if needed)	04/22/04
5. Plaintiff's Disclosure of Lay and Expert Witnesses	05/17/04
6. Defendant's Disclosure of Lay and Expert Witnesses	07/19/04
7. Disclosure of Plaintiff's Rebuttal Witnesses	08/16/04
8. Disclosure of Defendant's Rebuttal Witnesses	09/20/04
9. Last Date for Filing Statement of Arbitrability	10/04/04
10. Settlement Position Statements filed by all parties	10/18/04
11. Discovery Cutoff (60 days prior to trial)	10/21/04
12. Settlement / Pretrial Conference	11/04/04
13. Last Date for Hearing Dispositive Pretrial Motions	11/18/04
14. Last Date for Filing and Serving Trial Management Report	11/18/04
15. Pretrial Conference	12/06/04
16. Trial Memoranda, Motions In Limine, Jury Instructions	12/20/04
17. Trial Date	

II. ORDER

IT IS ORDERED that all parties comply with the foregoing schedule.

DATED this 15 day of December, 2003

 W. A. Vanduschoen

NOTICE TO PLAINTIFF:

The plaintiff may serve a copy of the Case Schedule Order on the defendant(s) along with the summons and complaint. Otherwise, the plaintiff shall serve the Case Schedule Order on the defendant(s) within ten (10) days after the latter of: (1) the filing of the summons and complaint or (2) service of the defendant's first response to the complaint, whether that response is a Notice of Appearance, an Answer, or a CR 12 Motion

E. KAY STAPLES
BENTON COUNTY CLERK

DEC 15 2003

FILED

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF BENTON

James S. Gordon, Jr.,

Plaintiff,

vs.

Commonwealth Marketing Group, Inc.,

Defendant

Case No.: 03-202671-5

SUMMONS

To the Defendant: A lawsuit has been started against you in the above entitled court by James S. Gordon, Jr., plaintiff. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and serve a copy upon the person signing this summons within 20 days (or 60 days if served outside the State of Washington) after the service of this summons, excluding the day of service, or a default

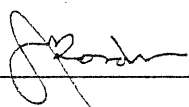
1 judgment may be entered against you without notice. A default judgment is one
2 where plaintiff is entitled to what he asks for because you have not responded. If
3 you serve a notice of appearance on the undersigned person you are entitled to
4 notice before a default judgment may be entered.

5 You may demand that the plaintiff file this lawsuit with the court. If you do so, the
6 demand must be in writing and must be served upon the person signing this
7 summons. Within 14 days after you serve the demand, the plaintiff must file this
8 lawsuit with the court, or the service on you of this summons and complaint will be
9 void.

10 If you wish to seek the advice of an attorney in this matter, you should do so
11 promptly so that your written response, if any, may be served on time.

12 This summons is issued pursuant to rule 4 of the Superior Court Civil Rules of the
13 State of Washington.

14
15 Dated this 15 day of December, 2003.

16
17 
18 _____
19 James S. Gordon, Jr.

20 Plaintiff

21 1419 Jadwin Avenue

22 Richland, WA 99352
23
24
25

DEC 15 2003

FILED

James S. Gordon, Jr.,

Plaintiff,

vs.

Commonwealth Marketing Group, Inc.,

Defendant

Case No.: 03-2-026775

COMPLAINT

Case #:

COMPLAINT FOR INJUNCTIVE AND ADDITIONAL RELIEF UNDER THE
UNFAIR BUSINESS PRACTICES--CONSUMER PROTECTION ACT, THE
COMMERCIAL ELECTRONIC MAIL STATUTE AND THE UNLAWFUL
HARASSMENT STATUTE

COMES NOW, plaintiff, James S. Gordon, Jr., and brings this action against
defendant named herein. Plaintiff alleges the following on information and belief:

1 1. JURISDICTION AND VENUE

2 1.1 This Complaint is filed and these proceedings are instituted under the
3 provisions of RCW 19.86, the Unfair Business Practices--Consumer Protection Act,
4 RCW 19.190, the Unsolicited Electronic Mail Act, and RCW 10.14, the Unlawful
5 Harassment Statute.

6
7 1.2 Jurisdiction of the Plaintiff to commence this action is conferred by RCW
8 19.190.030(2).

9
10 1.3 The violations alleged herein have been and are being committed in whole or in
11 part in Benton County, in the State of Washington by defendant named herein.

12
13 2. DEFENDANT

14 2.1 Commonwealth Marketing Group, Inc., is located at 1 Millenium Dr.,
15 Uniontown, PA 15401.

16
17 2.2 Defendant conducts business in Washington through unsolicited commercial
18 electronic mail transmitted through the Internet to Washington residents.

19
20 3. NATURE OF TRADE OR COMMERCE

21 3.1 Defendant sells credit products and services. Defendant solicits business using
22 unsolicited electronic mail.

23
24 3.2 Defendant sent 1,266 unsolicited emails to Plaintiff.

1 3.3 The electronic mail messages were designed to entice Plaintiff to believe that he
2 would be applying for a major platinum credit card. Instead, Defendant is offering
3 its own products and credit rather than a universally accepted credit card, such as
4 VISA and MasterCard.

5
6 3.4 Defendant knows or has reason to know that Plaintiff is a Washington State
7 resident. Plaintiff has sent a certified return receipt letter to Defendant.

8
9 3.5 Defendant competes with other companies in the State of Washington engaged
10 in similar business.

11
12 4. CAUSE OF ACTION--MISLEADING SUBJECT FIELD

13 4.1 Plaintiff realleges Paragraphs 3.1 through 3.5 and incorporates them herein as
14 if set forth in full.

15
16 4.2 Electronic mail programs list electronic mail messages by various components in
17 the message header. The common components displayed are: the address in the
18 FROM field, indicating who the message is from; the contents in the SUBJECT
19 field, which describes the content of the message; the address in the TO field,
20 indicating who the message is to.

21 To read the entire message, the user usually must select that message in some
22 manner and command the electronic mail program to display the entire message.

23
24 4.3 The purpose of the SUBJECT field in an electronic mail message is to describe
25 the message's text. This enables a computer user to have discretion over whether